

MANDATE

ORIGINAL

AUG 29 2008

S. D. OF N. Y.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

MALIBU TEXTILES, INC.,

Plaintiff/ Appellee,

-against-

CAROL ANDERSON, INC., CABL, LLC,
PINK VAN ENTERPRISES, LLC AND
CAROL ANDERSON,

Defendants/ Appellants.

SDNY Index No:
07 CV 4780 (SAS)Docket No:
08-3828-CVSTIPULATION TO WITHDRAW DEFENDANTS' NOTICE OF APPEAL
WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN the attorneys for Plaintiff/ Appellee, Malibu Textiles, Inc., and the Defendants/ Appellants named herein, Carol Anderson, Inc., CABL, LLC, Pink Van Enterprises, LLC, and Carol Anderson, that the Notice of Appeal, filed with the Court on August 1, 2008, be withdrawn, without prejudice to filing a later appeal, and the matter be removed from this Court's docket.

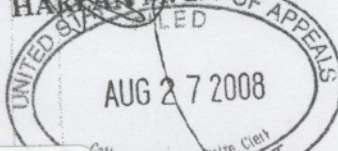
Dated: August 15, 2008
New York, New York

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By:

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Catherine O'Hagan Wolfe, Clerk
SECOND CIRCUIT

By:

NANCY E. WOLFF

FOR THE COURT

Catherine O'Hagan Wolfe, Clerk of Court

By:

Lisa J. Greenberg, Staff Counsel

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by:

Deputy Clerk

Certified:

8/28/08